

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JESUS RODAS,

Case No. 3:16-cv-00546-MMD-VPC

v.

**Petitioner.**

## ORDER

TIMOTHY FILSON, *et. al.*

## Respondents.

14 This action is a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254,  
15 by Jesus Rodas, a Nevada prisoner. By a previous order, petitioner was informed that  
16 Ground One of his petition failed to satisfy the pleading standards applicable to federal  
17 habeas proceedings. (ECF No. 7.) Petitioner was provided an opportunity to amend his  
18 petition to correct that deficiency and to add any additional habeas claims of which he is  
19 aware. (*Id.*)

20 Petitioner has failed to avail himself of that opportunity. Thus, Ground One of his  
21 petition will be dismissed. The petition will now be served upon the respondents, who  
22 must respond in the time and manner described below.

23 It is therefore ordered that Ground One of the petition for writ of habeas corpus  
24 (ECF No. 8) is dismissed for failure to state a cognizable habeas claim.

25 It is further ordered that the Clerk of the Court electronically serve the petition (ECF  
26 No. 8) and a copy of this order on the respondents.

27 It is further ordered that the Clerk add Adam Paul Laxalt, Attorney General of the  
28 State of Nevada, as counsel for respondents.

1        It is further ordered that respondents will have sixty (60) days from the date of entry  
2 of this order to appear in this action, and to answer or otherwise respond to the petition.

3        It is further ordered that if respondents file an answer, petitioner will have sixty (60)  
4 days from the date on which the answer is served on him to file and serve a reply. If  
5 respondents file a motion to dismiss, petitioner will have sixty (60) days from the date on  
6 which the motion is served on him to file and serve a response to the motion to dismiss,  
7 and respondents will, thereafter, have thirty (30) days to file a reply in support of the  
8 motion.

9        It is further ordered that any additional state court record exhibits filed herein by  
10 either petitioner or respondents must be filed with a separate index of exhibits identifying  
11 the exhibits by number. The CM/ECF attachments that are filed further must be identified  
12 by the number or numbers of the exhibits in the attachment. The hard copy of any  
13 additional state court record exhibits must be forwarded — for this case — to the staff  
14 attorneys in Reno.

15      DATED THIS 10<sup>th</sup> day of January 2018.

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MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE